

**BEFORE THE APPEALS BOARD  
FOR THE  
KANSAS DIVISION OF WORKERS COMPENSATION**

<b>FILEMON RIVERA</b>	)	
Claimant	)	
VS.	)	
	)	Docket No. 206,539
<b>GREAT BEND PACKING CO., INC.</b>	)	
Respondent	)	
AND	)	
	)	
<b>NATIONAL UNION FIRE INS. CO. OF NEW YORK</b>	)	
Insurance Carrier	)	

**ORDER**

Claimant appealed the Award dated March 19, 1998, entered by Administrative Law Judge Bruce E. Moore. The Appeals Board heard oral argument on October 28, 1998.

**APPEARANCES**

Stanley R. Ausemus of Emporia, Kansas, appeared for the claimant. Orvel Mason of Arkansas City, Kansas, appeared for the respondent and its insurance carrier.

**RECORD AND STIPULATIONS**

The record considered by the Appeals Board and the parties' stipulations are listed in the Award.

**ISSUES**

Judge Moore found claimant lacked candor and credibility and denied the request for permanent partial general disability benefits. The only issue in this appeal is the nature and extent of claimant's injury and disability.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

After reviewing the entire record, the Appeals Board finds that the Award should be affirmed. Filemon Rivera is not credible. The Appeals Board agrees with Judge Moore's findings, analyses, and conclusion that Mr. Rivera has failed to prove he is entitled to receive permanent partial general disability benefits.

**AWARD**

**WHEREFORE**, the Appeals Board affirms the Award dated March 19, 1998, entered by Administrative Law Judge Bruce E. Moore.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of November 1998.

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BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

c: Stanley R. Ausemus, Emporia, KS  
Orvel Mason, Arkansas City, KS  
Bruce E. Moore, Administrative Law Judge  
Philip S. Harness, Director